IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.936 OF 2007
WITH
CIVIL APPLICATION NO.1286 OF 2007

Phulairam Doodhnath Yadav
and another : Appellants.
versus
The Mumbai Metropolitant
Regional Development
Authority and others : Respondents.

Mr.R.R.Sharma for the appellants.

Mr.K.S.Patil for Respondent No.1.

Ms.S.V.Gajre, AGP, for Respondent No.3

CORAM : J.H.BHATIA, J.

DATED : DECEMBER 14, 2007.

P.C.

1. Heard learned counsel for the parties. The only grievance of the appellants/plaintiffs is that the MMRD has not yet informed them as to how much area of the structures of appellants will be affected and where they will be rehabilitated. Learned counsel for the

Respondent has pointed out that on 17th April 2007, a letter was sent to the appellants wherein they are informed about the area to be affected and also that they are entitled to rehabilitation. As per that letter the appellants have to make an application for allotment of area over and above 225 sq.ft. and then it is to be decided.

2. The learned counsel for the appellants makes a statement that he was not aware about this letter earlier. Therefore, he seeks permission to withdraw this appeal with liberty to make an appropriate application. The appeal stands disposed of as withdrawn with liberty to the appellants to make an appropriate application before the concerned authority within one week from this date and the concerned authority shall decide the said application of the appellants and communicate its decision to them within one week thereafter. Status quo in respect of the structures of the appellants shall be maintained for a period of two weeks thereafter. In view of withdrawal of appeal, Civil Application No.1286 of 2007 does not survive and it is disposed of accordingly.

[J.H.BHATIA,J]